

BEFORE
THE PUBLIC SERVICE COMMISSION OF
SOUTH CAROLINA
DOCKET NO. 2021-83-E - ORDER NO. 2021-438

JUNE 18, 2021

IN RE: Dominion Energy South Carolina, Inc.'s)	ORDER GRANTING
Request for "Like Facility" Determination)	"LIKE FACILITY"
Pursuant to S.C. Code Ann. Section 58-33-)	STATUS
110(1))	

I. INTRODUCTION

This utilities matter comes before the Public Service Commission of South Carolina (Commission) on the March 8, 2021 Application of Dominion Energy South Carolina, Inc. (DESC). DESC proposes to modify an existing power line and to join the modified line into a new substation. DESC asserts the proposed actions would constitute the replacement of an existing facility with a like facility, pursuant to S.C. Code Ann. Section 58-33-110(1) (2015), and does not constitute construction of a major utility facility for which a certificate is required. We agree and endorse the recommendations of the Office of Regulatory Staff (ORS).

II. FACTS AND PROCEDURAL HISTORY

DESC submitted an Application to the Commission on March 8, 2021, requesting the Commission make a "like facility" determination for changes it proposes to its existing Jasper-Yemassee power line, the Jasper Yemassee 230 kV #1. The line extends approximately thirty-eight miles from Jasper to Yemassee and was completed in 2003 after the Commission issued a certificate approving the construction in Order Number 2002-

774. That order also approved the construction of a #2 line at the same location. DESC now seeks to modify the #1 line and fold it into a new substation it plans to build.

As part of its Application, DESC contends the changes are necessary because the existing facilities “will not provide an acceptable level of voltage support in the area as early as December 1, 2022.” (Application, pages 1-2). DESC also states: “DESC’s Transmission Planning models indicate that voltage could drop below acceptable levels by the winter 2022/2023 upon the occurrence of a certain planning contingency, i.e., loss of Hardeeville 115 kV capacitor bank and the Okatie-McIntosh 115 kV tie Line.” (Application, page 2). DESC asserts the proposed modifications would “provide the necessary voltage support and ensure that DESC remains in compliance with applicable North American Electric Reliability Corporation (“NERC”) standards.” *Id.*

DESC further provides it “plans to segment the Jasper-Yemassee 230 kV #1 and install steel structures within the existing right-of-way at the point of segmentation. Two sets of parallel steel monopole structures will carry the line approximately 700 feet in a north-westerly direction along [a] new 275-foot right-of[-]way before turning south-westerly into the Lakeside Substation. DESC has already acquired the necessary rights-of-way from the affected property owners.” *Id.* DESC contends the proposed modification “provides a strong 230 kV source close to the load center and will not result in any significant increase in environmental impact of the facility or substantially change the location of the facility.” *Id.*

DESC submitted correspondence to the Commission subsequent to the Application, dated March 29, 2021, informing the Commission there was a change in the estimated

completion date of the proposed project due to a delay in receiving auto transformers from its vendor. DESC advised the Commission the estimated completion date is now June 1, 2023.

On April 19, 2021, the Office of Regulatory Staff (ORS) notified the Commission it reviewed the Application of DESC and advised the Commission of the results of its investigation and its recommendations.

On April 21, 2021, by Directive Order Number 2021-276, the Commission acted to request clarification of DESC's Application, specifically seeking responses to five questions regarding DESC's proposal.

On April 23, 2021, DESC submitted clarification to the Commission in response to the Commission's Directive Order.

Most recently, on May 26, 2021, the Commission took action to grant the request of DESC for a "like facility" determination under section 58-33-110(1) and to declare the proposed modifications are a "like facility."

III. EVIDENCE OF RECORD

The Application of DESC explained the proposed modifications to Jasper-Yemassee 230kV #1 as including the installation of steel structures to support the line and to carry the line "approximately 700 feet in a north-westerly direction along [a] new 275-foot right-of[-]way" [that DESC has acquired rights to] and to "fold-in" the #1 line, as modified, into a new substation. (Application, page 2). The new substation, the Lakeside Substation, will be sited near the current substation and switching station, on 3.5 acres of a 20.5 acre DESC owned tract of land. (Application, page 2). DESC estimates the cost of

its proposal is approximately \$8.5 million. (Application, page 2). DESC also indicated it was “working on a temporary solution to address any voltage concerns” for the winter of 2022-2023, until modifications can be made. (Application, page 2).

A second option considered by DESC is to construct a “second 115 kV line between Okatie and Yemassee by rebuilding the Okatie-Yemassee 115 kV 31.21-mile line as single pole, double circuit structures.” (Application, page 2). DESC estimates this second option would cost substantially more than the proposed option at \$59.25 million. (Application, page 2).

On April 21, 2021, by Directive Order Number 2021-276, the Commission requested clarification of DESC’s Application. More specifically, the Directive seeks clarification regarding the meaning of folding in a line into a substation; asking how DESC determined the proposed modifications are considered a “like facility;” asking whether there were other options DESC considered than the two options set forth in the Application; seeking voltage support data; and, asking for more information regarding DESC’s temporary solution prior to the completion of the proposed modifications in this docket.

On April 23, 2021, DESC filed responses to the five questions the Commission asked in the April 21, 2021, Directive Order. DESC advised that folding in “is where a transmission line . . . is split into two separate segments and each of those segments is then terminated at or ‘folded into’ a nearby substation.” (April 23, 2021 correspondence, page 1). As to why DESC considered the proposal the replacement of a facility with a like facility, it responded the new substation will be situated adjacent to and between the existing stations; and after the split of line #1 into two segments “[t]here will

still be a 230 kV path from Jasper to Yemassee, but the path will be two segments instead of a single segment.” (April 23, 2021, correspondence page 2).

DESC cites two Commission orders as supportive of its arguments. In Order No. 2014-633 the Commission determined the modifications constituted a like facility status where “a portion of the replacement lines was run along [a] relocated (new) right-of-way and lines were re-terminated at a new substation approximately 400 feet from the boundary of the existing right-of-way corridor.” (April 23, 2021 correspondence, page 2). DESC also references Order No. 2018-33, asserting the Commission made a like facility determination “where a single 230 kV path was split into two segments” and “added an additional autobank to the Hopkins Substation.” (April 23, 2021 correspondence, page 2).

As to the Commission’s request regarding all options DESC considered, DESC responded it considered “a new tie line” which would have been joined to the lines owned by other companies, but it reasoned this would “exacerbate the power flow issues.” *Id.* DESC also had concerns the voltage issue needs prompt attention, and thus the proposal in this Application and the other option included in the Application were the “only viable solutions.” *Id.*

DESC provided data to explain its voltage concerns with the current configuration for which it seeks modification approval. (April 23, correspondence page 3). DESC contends the present system would not be sufficient by the winter of 2022-2023 if changes are not made and provided a summary of its powerflow modeling based on a worst case contingency. *Id.* Lastly, DESC indicated it is considering two options to address the low

voltage concerns until construction is completed, although it noted “[n]either [temporary solution] is a long-term voltage solution.” (April 23, 2021 correspondence, page 4).

ORS provided the results of its investigation to the Commission on April 19, 2021, stating it did not object to a like facility determination by the Commission and making specific recommendations:

Based on its review, ORS does not object to the Commission's approval of the Company's Like Facility Request. ORS would recommend that the Company file an update on its temporary solution to address any voltage concerns in the winter of 2022/2023 once it is available. ORS would also recommend that the Company file updates with the Commission and ORS on the project. Finally, ORS would recommend that the Company notify the Commission and ORS of the completion of the project within ten (10) days of its completion.

(ORS correspondence dated April 19, 2021, page 3).

IV. APPLICABLE LAW

The Commission has the statutory authority “to fix just and reasonable standards, classifications, regulations, practices and measurements of service to be furnished, imposed, or observed, and followed by every public utility in this State.” S.C. Code Ann. § 58-3-140 (2015). Pursuant to Section 58-33-110 of the Utility Facility Siting and Environmental Protection Act, a certificate from the Commission is required before a utility may construct a major utility facility; however, the replacement of an existing facility with a like facility does not constitute construction of a major utility facility:

No person shall commence to construct a major utility facility without first having obtained a certificate issued with respect to such facility by the Commission. The replacement

of an existing facility with a like facility, as determined by the Commission, shall not constitute construction of a major utility facility.

S.C. Code Ann. § 58-33-110(1) (emphasis added).

The definition of a “major utility facility” is set forth as follows:

(2) The term “major utility facility” means:

(a) electric generating plant and associated facilities designed for, or capable of, operation at a capacity of more than seventy-five megawatts.

(b) an electric transmission line and associated facilities of a designed operating voltage of one hundred twenty-five kilovolts or more; provided, however, that the words “major utility facility” shall not include electric distribution lines and associated facilities, nor shall the words “major utility facility” include electric transmission lines and associated facilities leased to and operated by (or which upon completion of construction are to be leased to and operated by) the South Carolina Public Service Authority.

S.C. Code Ann. § 58-33-20 (2).

V. FINDINGS OF FACT

After review of all of the evidence presented in the Application, the results of the ORS review, and the additional clarification provided by DESC to the Commission, the Commission makes the following findings of fact:

1. The proposed modifications to the existing Jasper-Yemassee line, including routing the modified line into a new substation is in keeping with the currently approved facilities providing power on the Jasper-Yemassee line. We do not find the modifications proposed are the construction of a new facility for which a certificate under the Siting Act is required.

2. DESC considered alternative options, and we find the proposed modifications are reasonable.

3. ORS reviewed the Application, engaged in discovery with DESC, and conducted a meeting with DESC to further investigate the proposal.

4. ORS does not object to the determination the proposed modifications constitute a “like facility.”

VI. CONCLUSIONS OF LAW

1. The proposal set forth in DESC’s Application constitutes a “like facility” as set forth in section 58-33-110(1) of the South Carolina Code of Laws (2015).

2. The proposed modifications are not the construction of a new facility requiring certification under the Siting Act.

3. The proposed modifications are reasonable to address the concerns presented by DESC regarding expected low voltage capability and the need for improvement of the facility.

VII. ORDERING PROVISIONS

IT IS THEREFORE ORDERED:

1. The Application of Dominion Energy South Carolina, Inc. requesting a “like facility” determination pursuant to S.C. Code Ann. Section 58-33-110(1) (2015) is granted.

2. The proposed project described in this docket is declared to constitute “the replacement of an existing facility with a like facility” pursuant to section 58-33-110(1).

3. DESC shall file an update with the Commission and ORS regarding its

temporary solution to address any voltage concerns in the winter of 2022-2023, as soon as the information is available.

4. DESC shall file updates with the Commission and ORS regarding the project to modify the Jasper-Yemassee line and build the new substation.

5. DESC shall notify the Commission and ORS of the completion of the project within ten days of its completion.

6. This Order shall remain in full force and effect until further Order of the Commission.

BY ORDER OF THE COMMISSION:




Justin T. Williams, Chairman
Public Service Commission of South Carolina